

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

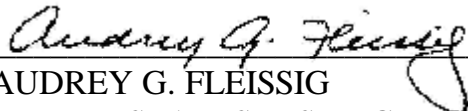
BRYAN A. EMCH,)	
)	
Plaintiff,)	
)	
vs.)	No. 4:09CV00807 AGF
)	
MICHAEL J. ASTRUE,)	
Commissioner of Social Security,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This matter is before the Court on Plaintiff's motion for attorney's fees in the amount of \$3,601.03, pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d). Plaintiff is the prevailing party in his action challenging the Commissioner of Social Security's denial of his application for Supplemental Security Income based upon disability. His request for fees is supported by appropriate documentation, and the Commissioner states that he does not object to the amount of fees sought. Plaintiff also alleges that he has assigned any right or interest he may have in the award of fees to his attorney; however, his application for fees does not include an assignment. The Commissioner points out that the fees must be paid directly to Plaintiff, pursuant to Ratliff v. Astrue, 130 S. Ct. 2521 (2010), but agrees to verify whether Plaintiff owes a debt to the United States that is subject to offset, and if there is no debt owed by Plaintiff, the fee may be made payable to Plaintiff's attorney once Plaintiff provides a copy of the assignment. Upon review of the record,

IT IS HEREBY ORDERED that Plaintiff's application for attorney's fees is
GRANTED in the amount of \$3,601.03. [Doc. #26]

IT IS FURTHER ORDERED that Plaintiff shall file a copy of the assignment
with the Court, no later than **January 11, 2011**. Failure to file a copy of the assignment
shall result in the attorney's fees being made payable directly to Plaintiff.



AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE

Dated this 4th day of January, 2011.